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FOLEY & LARDNER LLP
321 NORTH CLARK STREET
SUITE 2800
CHICAGO IL 60654-5313

MAILED

JUL 14 2010

In re Patent of Dobrovolny	:	OFFICE OF PETITIONS
Patent No. 7,507,825	:	
Issue Date: March 24, 2009	:	ON PETITION
Application No. 10/567,472	:	
Filed: February 7, 2006	:	
Atty Docket No. 087329-0108	:	
(078556-0144)	:	

This letter is in response to the "COMMUNICATION REGARDING PATENT TERM ADJUSTMENT," filed April 24, 2009. Patentee requests that the determination of patent term adjustment under 35 U.S.C. § 154(b) be reviewed/recalculated for accuracy. The request will be treated as a petition under 37 CFR 1.705(d).

The request for review of the determination of patent term adjustment (PTA) is dismissed.

On April 24, 2009, patentee submitted the instant comment. On March 24, 2009, the above-identified application matured into U.S. Patent No. 7,507,825, with a revised patent term adjustment of 240 days. Patentee states no basis for the request for review of the patent term adjustment.

A review of the application history supports a conclusion that the number of days adjusted for Office delay and the number of days reduced for Patentee's delay was correct. Patentee does not state a basis for their disagreement with the according of 240 days of PTA. A copy of the PALM calculations for this application is enclosed. Patentee continues to be under a duty to advise the Office of any error in according too much PTA.

In view thereof, the revised Patent Term Adjustment remains two hundred forty (240) days.

The Office will charge the \$200.00 fee under 37 CFR 1.18(e) to deposit account no. 19-0741.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The application is being forwarded to Files Repository.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3230.



Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

enc: copy of PALM screen for U.S. Application No. 10/567,472

CC: FOLEY & LARDNER LLP
150 EAST GILMAN STREET
P.O. BOX 1497
MADISON, WI 53701-1497

PALM INTRANET

Time: 11:41:59

PTA Calculations for Application: 10/567472

Application Filing Date:	02/07/2006	PTO Delay (PTO):	360
Issue Date of Patent:	03/24/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	120
Post-Issue Petitions:	0	Total PTA (days):	240
PTO Delay Adjustment:	0		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
59	03/24/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	314		52
58	02/18/2009	EXPORT TO FINAL DATA CAPTURE			
57	02/17/2009	DISPATCH TO FDC			
56	02/13/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
55	02/13/2009	MAIL RESPONSE TO 312 AMENDMENT (PTO-271)			
54	02/12/2009	RESPONSE TO AMENDMENT UNDER RULE 312			
53	01/14/2008	AMENDMENT AFTER NOTICE OF ALLOWANCE (RULE 312)		120	55
52	01/14/2008	ISSUE FEE PAYMENT VERIFIED			
51	01/14/2008	ISSUE FEE PAYMENT RECEIVED			
50	10/19/2007	EXPORT TO INITIAL DATA CAPTURE			
49	10/15/2007	MAIL NOTICE OF ALLOWANCE			
48	10/04/2007	ISSUE REVISION COMPLETED			
47	10/04/2007	DOCUMENT VERIFICATION			
46	10/04/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
45	10/04/2007	NOTICE OF ALLOWABILITY			
44	09/21/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
43	09/21/2007	REFERENCE CAPTURE ON IDS			
42	09/21/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
41	10/01/2007	DATE FORWARDED TO EXAMINER			
40	09/21/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			

39	10/01/2007	DISPOSAL FOR A RCE / CPA / R129			
38	09/21/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
37	09/21/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
36	09/21/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
35	07/18/2007	FINISHED INITIAL DATA CAPTURE			
34	06/29/2007	EXPORT TO INITIAL DATA CAPTURE			
33	06/27/2007	MAIL NOTICE OF ALLOWANCE	46		26
32	04/30/2007	CORRESPONDENCE ADDRESS CHANGE			
31	04/30/2007	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)			
30	03/09/2007	ISSUE REVISION COMPLETED			
29	03/09/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
28	03/09/2007	NOTICE OF ALLOWABILITY			
27	01/29/2007	DATE FORWARDED TO EXAMINER			
26	01/12/2007	RESPONSE AFTER NON-FINAL ACTION			
25	11/03/2006	MAIL NON-FINAL REJECTION			
24	11/01/2006	NON-FINAL REJECTION			
23	10/24/2006	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
22	10/24/2006	CASE DOCKETED TO EXAMINER IN GAU			
21	02/07/2006	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)			
20	02/07/2006	PRELIMINARY AMENDMENT			
19	02/07/2006	371 COMPLETION DATE			
18	06/09/2006	APPLICATION RETURN FROM OIPE			
17	06/09/2006	APPLICATION RETURN TO OIPE			
15	06/09/2006	APPLICATION RETURN FROM OIPE			
14	06/09/2006	APPLICATION RETURN TO OIPE			
12	06/09/2006	APPLICATION RETURN FROM OIPE			
11	06/09/2006	APPLICATION RETURN TO OIPE			
9	06/09/2006	APPLICATION RETURN FROM OIPE			
8	06/09/2006	NOTICE OF DO/EO ACCEPTANCE MAILED			
7	06/09/2006	APPLICATION RETURN TO OIPE			
5	06/05/2006	APPLICATION DISPATCHED FROM OIPE			
4	06/05/2006	NOTICE OF DO/EO ACCEPTANCE MAILED			
3	05/27/2006	CORRESPONDENCE ADDRESS CHANGE			

2	03/03/2006	CLEARED BY OIPE CSR			
1	02/07/2006	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | [Home page](#)